



HERITAGE-WTI, INC.
1250 St. George Street
East Liverpool, Ohio 43920-3400
Phone: 330-385-7337
Fax: 330-385-7813
Web Site: www.heritage-wti.com

OHSAS 18001: 2007
ISO 14001: 2004
ISO 9001: 2008

Mr. Scott Nally
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, OH 43216-1049

January 13, 2012
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Unmanifested Waste Report - Rule 3745-54-76 of the Ohio Administrative Code
Heritage - WTI, Inc.
USEPA ID No.: OHD 980 613 541 / Ohio Permit no.: 02-15-0589

Dear Mr. Nally:

This letter is being submitted in accordance with rule 3745-54-76 of the Ohio Administrative Code. Rule 3745-54-76 of the Administrative Code requires a facility who accepts for treatment, storage, or disposal any hazardous waste from an off-site source without an accompanying manifest, or without an accompanying shipping paper as described in paragraph (E)(2) of rule 3745-53-20 of the Administrative Code, and if the waste is not excluded from the manifest requirement by rule 3745-51-05 of the Administrative Code to prepare and submit a single copy of an "Unmanifested Waste Report" to the director within fifteen days after receiving the waste. The specified information is given below.

1. *The EPA Identification number, name, and address of the facility*

USEPA I.D. No.: OHD 980 613 541
Heritage - WTI, Inc.
1250 Saint George Street
East Liverpool, OH 43920

2. *The date the facility received the waste*

The waste was received at Heritage - WTI, Inc. on December 13, 2011.

3. *The EPA identification number, name, and address of the generator and transporter, if available:*

Generator: USEPA I.D. No.: ORD 050 955 848
Wah Chang - North
1600 Old Salem Road NE
Albany, OR 97321-0460

Transporter #1: USEPA I.D. No.: KSO 000 336 891
Savannah Transport, Inc.
4425 NW Highway 24
Topeka, KS 66618

4. *A description and the quantity of each unmanifested hazardous waste and facility received:*

The material was received at the Heritage - WTI, Inc. (WTI) facility in East Liverpool, OH. The material was shipped as a Flammable Solid on a Uniform Hazardous Waste Manifest without any hazardous waste codes. Specifically, the D.O.T. description did not identify the materials involved as a hazardous waste nor was the shipment carrying hazardous waste codes. WTI received 40 containers on this shipment.

On December 17, 2011, WTI experienced an incident with this material. After the incident, the generator indicated that the material WTI received had a chemical composition of 100% zirconium instead of the 65% zirconium that was listed in the WTI waste stream information. Based on the information from the generator and the incident involving the material, WTI believes this material should carry hazardous waste codes D001 and D003. Specifically, we believe the containers involved in the incident contained waste material that was capable of causing fire through friction, absorption of moisture, or spontaneous chemical changes and when ignited, burned so vigorously and persistently as to create a hazard. Further, we believe that the containers involved in the incident contained materials that were readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure.

We currently are in the process of developing a protocol to safely sample and test the waste to determine whether the remaining containers possess the same physical properties and hazards as the containers involved in the incident.

5. *The method of treatment, storage, or disposal for each hazardous waste:*

The waste was and is being managed as a hazardous waste at WTI. WTI reserves the right to reject all or part of the remaining containers of this shipment, and will do so in accordance with OAC 3745-54-72(D). Prior to the incident, WTI had processed six (6) containers of this material. There were two (2) containers involved in the incident, and 32 containers that remain in storage. Until WTI can determine whether the material can be safely rejected to either the original generator or to an alternate facility, the material will remain in a secure location at the WTI facility.

6. *The certification signed by the owner or operator of the facility or his authorized representative; and*

The certification is provided below.

7. *A brief description of why the waste was unmanifested, if known:*

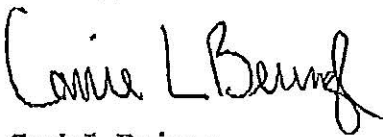
Unknown. WTI establishes a waste stream profile for its customers/generators based on wastestream information provided on standardized forms to our personnel. In this instance, the material was identified and shipped as non-hazardous by the generator. After the incident at WTI, the material is believed to be hazardous for D001 and D003.

Please note that the waste material in question was transported in a vehicle which has the appropriate licenses to transport hazardous waste, to a RCRA permitted incinerator, that all parties involved have EPA identification numbers, and the material was designated for and is being managed in hazardous treatment and storage systems at a RCRA-permitted facility.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are certain penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

I trust that this information is adequate for your purpose. If there are any questions or comments regarding this matter, please contact me at 330.385.7336.

Sincerely,



Carrie L. Beringer
Environmental, Health, and Safety Manager
Heritage - WTI, Inc.

cc: Frank Popotnik - OEPA/DHWM/NEDO
Michelle Tarka - OEPA/DHWM/NEDO

E-mails

SHEWCZYK Susan

From: Tarka, Michelle [Michelle.Tarka@epa.state.oh.us]
Sent: Friday, March 23, 2012 11:16 AM
To: SHEWCZYK Susan; senahlec.kevin@epamail.epa.gov
Cc: FULLER Brian; Popotnik, Frank
Subject: most recent info regarding WahChang waste
Attachments: WaChWasteShipEmail4.jpg; WaChWasteShipEmail.jpg; WaChWasteShipEmail1.jpg; WaChWasteShipEmail2.jpg; WaChWasteShipEmail3.jpg

The purpose of this email is to share the most recent information that I have obtained from WTI regarding the 32 drums of metal fines from WahChang.

As you are all aware, WTI has informed WahChang and Veolia that the 32 drums must be removed from WTI's property. WTI has now, most recently, informed WahChang and Veolia that the waste must off WTI property **"on or before April 5th"** per Carrie Beringer of WTI.

It appears that WahChang is attempting to forstall the return of these drums as long as possible. However, keeping or treating the drums here is not an option.

I requested a copy of recent correspondence between WTI and WahChang regarding how the waste will be managed. I was provided the attached series of emails between WTI personnel and ATI WahChang/Frank Hamilton and Veolia/Eric Feist.

There are 5 pages (WaChWasteShipEmail, Email1, Email2, Email3, Email4).

I can be available for a conversation on Thursday 3/29 and/or Friday 3/30 if you would like to discuss this.

Please give me a time frame in advance if possible so I can arrange my schedule to accomodate.